IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 15568 of 2004

Between:

S. Praveen, S/o Laxminarayana, R/o Prajay Nivas,
P/1, B/4, F/305, Mohan Nagar, Kothapet, Hyderabad - 35.

..... PETITIONER

AND

1 Osmania University, rep. by its Registrar, Osmania University Campus, Hyderabad.
2 The Principal, P.G. College, Osmania University, Secunderabad.
3 Uma Devi, Lecturer in Commerce, P.G. College, Osmania University, Secunderabad.
4 Sunitha, Lecturer in Commerce, P.G. College, Osmania University, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent appointing the respondents-3 and 4 herein as Academic Consultant in Commerce Department ignoring the claim of the petitioner herein, as arbitrary, illegal and contrary to law and consequently direct the Respondents 1 and 2 herein to appoint the Petitioner as Academic Consultant in Commerce Department in the 2nd respondent's College, forthwith.

Counsel for the Petitioner: MRC.RAJA SEKHAR REDDY

Counsel for the Respondent Nos.1 & 2: MR.DEEPAK BHATTACHARJEE (SC for Osmania University)

Counsel for the Respondent Nos. 3 & 4: None appeared.

The Court made the following:

ORDER:

This writ petition is filed by the petitioner against the action of the second respondent, in appointing respondent Nos.3 and 4 as Academic Consultants in commerce department, ignoring his claim as arbitrary and illegal and consequently direct the respondent Nos.1 and 2 to appoint him as Academic Consultant in commerce department in the second respondent-College.

The petitioner claims that he is a post-graduate in commerce in first division and did his M.Phil., and Ph.D. in Marketing Management. He has got many other academic qualifications. He contends that he worked as an Academic Consultant in commerce department during the academic year 2002-2003 in the second respondent-College.

The grievance of the petitioner is that instead of continuing him in service as an Academic Consultant, the second respondent issued a Notification dated 15-07-2004, inviting applications from the eligible candidates for filing up of the said post. In pursuance of the said notification, the petitioner submitted his application and appeared for interview held on 21-07-2004, along with several other candidates including Respondent Nos. 3 and 4, but the second respondent instead of appointing the petitioner, appointed respondents Nos. 3 and 4 ignoring his higher qualifications and experience. Therefore, the petitioner submitted a representation to the first respondent requesting it to consider his case for appointment.

The grievance of the petitioner is that the first respondent did not pass any orders on his representation. Therefore, he approached this Court seeking the relief mentioned above.

The learned Counsel for the petitioner during the course of his arguments submitted that a direction might be given to the first respondent to consider the representation of the petitioner regarding his request for appointment as an Academic Consultant in

commerce department of the second respondent-College.

In the light of the circumstances explained by the petitioner, the first respondent is directed to consider the representation of the petitioner and the academic qualifications mentioned by him and pass appropriate orders according to rules within one month from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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01-09-2004

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Registrar, Osmania University, Osmania University Campus, Hyderabad.
2 The Principal, P.G. College, Osmania University, Secunderaba**d.**
3 2CD copies